

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

ORDER

On July 20, 2009, the Magistrate Judge issued a Report and Recommendation (Docket No. 46), to which no timely objections have been filed. The Report and Recommendation is therefore **ACCEPTED** and made the findings of fact and conclusions of law of this court. For the reasons expressed therein, it is hereby **ORDERED** that the defendant's Motion to Dismiss (Docket No. 7) is **GRANTED**, and this case is **DISMISSED WITH PREJUDICE**.

It is so ORDERED.

ENTER this 31st day of August 2009.

Aleta A. Trauger
ALETA A. TRAUGER
U.S. District Judge